



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Gallegos Research Group--Request for
Reconsideration
File: B-227037.3
Date: June 19, 1987

DIGEST

Decision dismissing protest is affirmed where protester's request for reconsideration does not show that the dismissal was factually or legally wrong.

DECISION

Gallegos Research Group requests that we reconsider our decision, Gallegos Research Group, B-227037, May 8, 1987, 87-1 C.P.D. ¶ ___, in which we dismissed the firm's protest concerning General Services Administration (GSA) solicitation No. KECA86-011.

We affirm our dismissal.

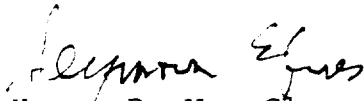
The solicitation was issued to procure data processing services for various federal agencies, who will order the services from the contractor as they are required. One of the issues Gallegos raised was that GSA originally interpreted the solicitation to cover only tasks that require four or more persons to complete, and offers were submitted on that basis, but that GSA later determined that user agencies would be permitted to order tasks that require fewer than four persons to complete. Gallegos complained that this situation adversely affected the company's ability to sell the same agencies data processing services outside the GSA contract. We dismissed this basis of Gallegos' protest because GSA, in response to an agency protest filed by Gallegos, stated that the solicitation only covers tasks that require at least four employees to complete, the solicitation was clear in that respect, and there was no further basis on which to question GSA's position.

In its request for reconsideration Gallegos asserts that this issue remains unresolved. In this regard, Gallegos points to a March 12 letter written by a GSA employee which states that tasks requiring less than four persons to complete will be serviced under the awarded contract.

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Gallegos requests a specific ruling by our Office that this letter no longer is in effect.

The March 12 letter to which Gallegos refers was part of the file we reviewed in deciding Gallegos' protest. We considered, however, that since the solicitation clearly requires four or more persons per work order, and GSA's March 29 response to Gallegos' agency-level protest was that "no amendment has been issued to the solicitation changing the requirement of four or more persons per task order," that was GSA's final position on the subject. Since Gallegos has presented nothing to contradict this statement or demonstrate that GSA intends to interpret the solicitation otherwise, we see no reason to question GSA's position. We therefore affirm our dismissal of Gallegos' protest.


Harry R. Van Cleve
General Counsel